

Cody Judy- U.S. Senate
2459 So. Main (Hwy 89)
Suite 6
Bountiful, UT 84010
801-604-3239

FILED
CLERK, U.S. DISTRICT COURT
2005 JAN 25 P 2:15
BY: DEE BRY SLEEK

State Of Utah, Federal District Court, Central Division
United States of America

Cody Judy Official Write-in Candidate)
Contestant/ Petitioner

v.) MOTION TO DENY Motions to Dismiss

Bob Bennett- Republican Candidate)
Contestee
State Election Officials
Mica McKinney- Director et al.,
Respondent(s).)
Case No: 2:04 CV 1110
Judge: Dee Benson

Petitioner/Contestant hereby submits this Motion to Deny Motion's to Dismiss and states:

I don't know how anyone can count the 16 votes registered to the 600,000 a win fair and square, when the general public was only informed at the polls of the **one candidate** in this contested contest. That seems a huge denial of fair and square." Bob Bennett has to be named in this Contest of Election as he is the major benefactor of the irregularities of the contest. Cody Judy is the only contestant in the race who has issued a complaint of the foul or unfair contest which just happens to violate every voters choice. It seems a denial of the facts to say " I won this election fair and square" when the irregularities contributed effectively to the elimination of a legal contestant at the dawn of the first vote cast in the contest or race . Bob Bennett affectively created a false claim by claiming a victory that was falsely based on rules of the contest, mounting to this action. Claiming victory in a race that didn't

affectively happen is neither the responsibility of the Contestant or Contestee. Each deserved and was qualified to race according to rules of the contest qualifications for office. The contestant was not allowed a fair start on election day. How can victory be claimed when the race didn't happen with voters informed of the choice of Contestant Cody Judy by the Elections office? The Election's Office felt dutiful enough in their responsibilities to inform the voters of one choice in this contest and cheated the other candidate by failing to post his name at polling places while knowing full well he was a candidate. That is a premeditated coercion of the voters choices. What is right about that? Nothing.

As Ohio lawyers intended the discredited election to the Ohio Supreme Court with a required 25 voters on record, Cody Judy also filed the petition of 30+ voters according to law in the contest of elections. *"If they wanted 500 or 1000 I could have got it"* Judy said, *"Voters don't like their choices withheld or hidden by elections officials in an American election. My God, what are we representing here to the Iraq people in championing fair elections and the peoples right to vote for a candidate when we fail our own example?"* (printed media report)

The Respondents have failed to defend the rights of citizens of this state a choice, by manipulating choices of the people to cast a vote to elect. Respondents argument fails on it's face to overcome the overwhelming support of the **Affidavit of Voters**; this recognizes those who should have defended rights have become the perpetrators of the rights of the citizens and ought to be embarrassed of the facts they have represented in advertising a motion to dismiss the rights of citizens of this state to vote for the two candidates of this contest.

Cody Judy filed by mail a default petition to the United States Senate Rules Committee Chairmen who is in charge of: i.e. (4) Credentials and qualifications of Members of the Senate, **contested elections**, and acceptance of incompatible offices, in the lawful contest offices in Washington, DC. Bennett was served the petition lawfully at his Salt Lake City Office Building December 6th, 2004, and was required to file a response the Federal Court in a summons of 20 days, and was also required to file a response with The U.S. Senate Rules Committee and file an answer

with the contestant Challenger Cody Judy in 30 days with the U.S. Senate Rules Committee governing ethics in the U.S. Senate and contested elections according to the law of Contested Elections. This he has failed to do.

**United States Senate
Committee on Rules and Administration**

Members

Republicans:

Chairman, Trent Lott, MS

Ted Stevens

Mitch McConnell

Thad Cochran

Rick Santorum

Don Nickles

Kay Bailey Hutchison

Bill Frist

Gordon Smith

C. Saxby Chambliss

Democrats:

Ranking Member, Chris Dodd, CT

Robert C. Byrd

Daniel K. Inouye

Dianne Feinstein

Charles E. Schumer

John B. Breaux

Tom Daschle

Mark Dayton

Richard J. Durbin

January 18th, 2005

U. S. Senate Looking Good Campaign 2004

Cody Judy
2459 So Main (Hwy 89)
Suite 6
Bountiful, UT 84010
801-604-3239

United States Of America
The U. S Senate Rules Committee
305 Russell Building,
United States Senate Washington, DC 20510
RE: Cody Judy v. Bob Bennett "Contested Election

Dear Senate Rules Committee Chairmen: Jan. 18,2005

Mr. Bob Bennett (S-R- UT) has failed to respond appropriately according to the rules of "Contested Elections" serving the contestant any petition or response that has appropriately been filed in the ethical consideration of a Federal Contested Election Act U. S. Title 2 Chapter 12 .

In this consideration, the Contestant/ Petitioner is lawfully and legally entitled to the facts that are undisputed by Contestee, and shall be found in default of office and entitlement of office.

The Contestant therefore asks the U.S. Senate Rules Committee to issue it's redering consideration according to law to the Contestant.

Dated this 18 day of January 2005

Cody Judy- _____ signed the 18th of January _____
U. S. Senate (UT)

Request/Summary

That Contestee Bob Bennett's Motion to dismiss and Respondent's Motion to Dismiss be denied.

Signed and Dated this 25th day of January, 2005

C. G. Gandy

~~Cody Ju~~
Pro Se

Certificate of Mailing

I certify that I mailed a true and correct copy of the Motion to deny Motion's to dismiss , U.S. Mail , postage prepaid, to Attorney for Respondent:

Scott D. Cheney
Office of the Utah Attorney General
160 East 300 South Sixth Floor
P.O. Box 140856
Salt Lake City, UT 84114-0856

JESSE C. TRENT AVE
SUTTER AXLEND
175 SO. WEST TEMPLE, SUITE 700
SALT LAKE CITY, UT 84101-1480

this 25th day of January, 2005

Cody Judy